

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
)
v.) Criminal Action No.
)
 07-00369-01-CR-W-GAF
WILLIAM L. BAKER,)
)
)
Defendant.)

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on August 13, 2008. Defendant Baker appeared in person and with retained counsel Dan Ross. The United States of America appeared by Assistant United States Attorney Bruce Clark.

I. BACKGROUND

On November 13, 2007, an indictment was returned charging Defendant with one count of felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1) and 924(a)(2).

The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Mr. Clark announced that he will be the trial counsel for the government. The case agent to be seated at counsel table is Special Agent Ted Horton, ATF.

Mr. Ross announced that he will be the trial counsel for Defendant Baker.

III. OUTSTANDING MOTIONS

There are no pending motions in this case.

IV. TRIAL WITNESSES

Mr. Clark announced that the government intends to call four witnesses with stipulations during the trial.

Mr. Ross announced that Defendant Baker intends to call two witnesses during the trial. Defendant Baker may testify.

V. TRIAL EXHIBITS

Mr. Clark announced that the government will offer approximately five exhibits in evidence during the trial.

Mr. Ross announced that Defendant Baker will offer approximately three exhibits in evidence during the trial.

VI. DEFENSES

Mr. Ross announced that Defendant Baker will rely on the defense of general denial.

VII. POSSIBLE DISPOSITION

Mr. Ross stated this case may be for trial.

VIII. STIPULATIONS

Stipulations have been signed regarding a prior felony conviction and the interstate nexus of the firearm.

IX. TRIAL TIME

Counsel were in agreement that this case will take one and a half days to try.

X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed January 2, 2008, counsel for each party file and serve a list of exhibits he intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by August 13, 2008;

That counsel for each party file and serve requested jury voir dire examination questions by or before noon, Wednesday, August 20, 2008;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions by or before noon, Wednesday, August 20, 2008. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and, if available to counsel, 3 and 1/2 inch computer disk in a form compatible with WordPerfect 9.0, 10.0, or 11.0.

XI. UNUSUAL QUESTIONS OF LAW

No motions in limine are anticipated. There are no unusual questions of law.

XII. TRIAL SETTING

All counsel and the defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on August 25, 2008.

/s/ Robert E. Larsen
ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
August 13, 2008

cc: The Honorable Gary A. Fenner
Mr. Bruce Clark
Mr. Dan Ross
Mr. Jeff Burkholder